

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ORIN KRISTICH,

Petitioner,

v.

Civ. No. 22-cv-569 WJ-KRS  
Cr. No. 18-cr-02635 WJ-KRS

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed his Proposed Findings and Recommended Disposition (“PFRD”) on July 8, 2025. Doc. 69. The PFRD notified the parties of their ability to file objections within fourteen (14) days and that failure to do so waived appellate review. *Id.* at 72. To date, the parties have not filed any objections and the time to do so has passed. Furthermore, upon review of the PFRD, the Court finds no legal error and concurs with Judge Sweazea’s findings and recommendations.

**IT IS THEREFORE ORDERED AS FOLLOWS:**

1. The Magistrate Judge’s Proposed Findings and Recommended Disposition (Doc. 69) are **ADOPTED**;
2. The Court **DENIES** Petitioner Orin Kristich’s (“Petitioner”) Amended Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, filed March 9, 2023, (Doc. 17);
3. The Court **DENIES AS MOOT** Petitioner’s Motion for an Evidentiary Hearing, filed December 7, 2023, (Doc. 40);
4. The Court **DENIES AS MOOT** Petitioner’s Motion for Clarification, filed July 25,

2024, (Doc. 58);

5. The Court **DENIES AS MOOT** Petitioner's Motion to Extend Review of New Evidence, filed March 31, 2025, (Doc. 61);

6. The Court **DENIES AS MOOT** Petitioner's Motion to Appoint Counsel, filed May 5, 2025, (Doc. 62);

7. The Court **DENIES AS MOOT** Petitioner's Motion to Compel Counsel, filed June 9, 2025, (Doc. 66); and

8. Because Petitioner failed to make a substantial showing that he has been denied a constitutional right, the Court will **DENY** a Certificate of Appealability. *See* 28 U.S.C. § 2253.

A final order entered concurrently herewith **DISMISSES** this case **WITH PREJUDICE**.

/s/

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WILLIAM P. JOHNSON  
SENIOR UNITED STATES DISTRICT JUDGE